

Appl. No. 10/024,681
Amdt. dated June 24, 2004
Reply to Office action of March 24, 2004

Remarks:

Claims 1-11, 13-17 and 19-22 are pending in this application. Claims 12 and 18 have been cancelled by way of this amendment.

The Examiner has rejected claims 1-22 under 35 U.S.C. 102(e) as being anticipated by United States Patent Application 2003/0009361 A1 to Hancock et al. (hereinafter "Hancock"). The Applicant respectfully disagrees.

To anticipate claim 1, as amended, Hancock must disclose a database of records "having data required to export a product from a first jurisdiction and data required to import a product to a second jurisdiction". Although the Examiner has established that Hancock discloses a database of records, it is submitted that the Hancock reference fails to disclose that the records have the data required by claim 1. Advantageously, in aspects of the present invention, the database may be accessed by import and export processes that access a common record, thereby ensuring data accuracy and consistency. The database may be arranged in records that contain all the information required to both create the documentation required by one jurisdiction to export the shipment out of the first jurisdiction and create the documentation required by a second jurisdiction to import the shipment into the second jurisdiction.

Hancock discloses customs house broker node(s) 16 and a protocol (described in FIG. 7, see paragraph [0118] on pages 8 and 9) that can be applied to the export or import of goods across jurisdictional boundaries. However, logistics data, i.e., data of the type with which the system of Hancock is concerned, normally require further manipulation and encoding before the logistics data is in a form required to import/export a product. Such manipulation and encoding is likely performed, in the system of Hancock, by the customs house broker node(s) 16 and stored in a database local to the customs house broker node(s) 16. The Hancock disclosure is silent on whether "data required to export a product from a first jurisdiction and data required to import a product to a second jurisdiction" may be found in the same record and whether the database is accessed by one or more than one customs house broker nodes 16. The latter would make the use of a common record impossible. The former, while making use of a common record possible, does not make such use inevitable;

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standard practice is to use a different records for each sides (the import side and the export side) of a shipment transaction, even when the same node processes both sides.

In view of the forgoing, applicant submits that claim 1 is not anticipated by Hancock and respectfully requests that the Examiner's rejection on that basis be withdrawn. Furthermore, it is submitted that claims 2-7, which depend, either directly or indirectly, from claim 1, are not anticipated by Hancock and are, therefore, patentable.

The limitations of claim 12 have been incorporated into claim 8. To anticipate claim 8, as amended, Hancock must disclose "determining whether said instruction to modify relates to a portion of said one of said records for which said member has modification authority". It is submitted that Hancock does not disclose authorizing members before accepting modification instructions. Indeed, Hancock appears to allow/deny access to modify records on a node identification basis (see paragraph [0201] on page 13 wherein source and destination nodes are not empowered to make changes to part priority information). When an integrated import/export system such as is described in the present application is deployed, many members of the supply chain, by definition, have access to the records, from many nodes. For instance, a member of the supply chain may wish to modify a portion of a record while visiting the office of an exporter. In a system employing the method claimed in claim 8, the member provides evidence of modification authority and performs the modification. In the Hancock system the member is not allowed to modify the record, since the member is at the source node of the transaction and the source node is prohibited from amending records, the member may not perform a modification. It is, therefore, advantageous to require that a member attempting to modify a record, or portion thereof, be appropriately authorized.

In view of the forgoing, applicant submits that claim 8 is not anticipated by Hancock and respectfully requests that the Examiner's rejection on that basis be withdrawn. Furthermore, it is submitted that claims 9, 10 and 11, which depend, either directly or indirectly, from claim 8, are not anticipated by Hancock and are, therefore, patentable.

Claim 13 presents a computer readable medium that allows a processor in an import/export system to perform the method of claim 8. Claim 13 has been amended in accordance with the amendments to claim 8. For the reasons stated above in conjunction with the discussion of claim 8, applicant submits that claim 13 is not anticipated by Hancock and

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respectfully requests that the Examiner's rejection on that basis be withdrawn.

Claim 14 and claim 15 have been amended to incorporate the limitations of claim 12. For the reasons stated above in conjunction with the discussion of claim 8, i.e., that Hancock does not disclose authenticating supply chain members before allowing the members to modify records, applicant submits that claims 14 and 15 are not anticipated by Hancock and respectfully requests that the Examiner's rejection of these claims on that basis be withdrawn.

Claim 16 has been amended to include the limitations of claim 18. To anticipate claim 16, as amended, Hancock must disclose "determining whether said party to said transaction has modification authority". It is submitted, as before, that Hancock does not disclose authorizing members before accepting modification instructions.

In view of the forgoing, applicant submits that claim 16 is not anticipated by Hancock and respectfully requests that the Examiner's rejection on that basis be withdrawn. Furthermore, it is submitted that claim 17, which depends directly from claim 16, is not anticipated by Hancock and is, therefore, patentable.

To anticipate claim 19, Hancock must disclose "providing a first metric for said proposed shipment, said first metric derived from data in a database relating to previous shipments from said first jurisdiction to said second jurisdiction". Applicant has reviewed the cited passage of Hancock (page 9, paragraphs [0121] to [0126]) without encountering a disclosure of such a metric.

In view of the forgoing, applicant submits that claim 19 is not anticipated by Hancock and respectfully requests that the Examiner's rejection on that basis be withdrawn. Furthermore, it is submitted that claims 20 and 21, which depend directly from claim 19, are not anticipated by Hancock and are, therefore, patentable.

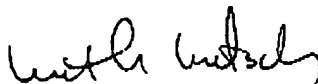
To anticipate claim 22, Hancock must disclose a "database comprising a plurality of shipment tables", where the shipment tables include ten specified tables. It is submitted that the Examiner has only identified information disclosed in Hancock related to seven of the ten tables. In view of the forgoing, applicant submits that claim 22 is not

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anticipated by Hancock and respectfully requests that the Examiner's rejection on that basis be withdrawn.

Favorable consideration and allowance of claims 1-11, 13-17 and 19-22 of the application is earnestly solicited.

Respectfully submitted,



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I hereby certify that this document is being sent by facsimile transmission to Commissioner of Patents for Examiner Alford W. Kindred (Fax No. 703-872-9306) on June 24, 2004.



Keith Lutsch